

Agency Legislative Budget

The following table summarizes the total legislative budget for the agency by year, type of expenditure, and source of funding.

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2004	PL Base Adjustment Fiscal 2006	New Proposals Fiscal 2006	Total Leg. Budget Fiscal 2006	PL Base Adjustment Fiscal 2007	New Proposals Fiscal 2007	Total Leg. Budget Fiscal 2007	Total Leg. Budget Fiscal 06-07
FTE	3.00	0.00	(3.00)	0.00	0.00	(3.00)	0.00	0.00
Personal Services	145,942	6,961	(152,903)	0	6,888	(152,830)	0	0
Operating Expenses	40,673	15,273	(52,127)	3,819	11,758	(52,431)	0	3,819
Total Costs	\$186,615	\$22,234	(\$205,030)	\$3,819	\$18,646	(\$205,261)	\$0	\$3,819
General Fund	186,615	22,234	(205,030)	3,819	18,646	(205,261)	0	3,819
Total Funds	\$186,615	\$22,234	(\$205,030)	\$3,819	\$18,646	(\$205,261)	\$0	\$3,819

Page Reference

Legislative Budget Analysis, A-259

Executive Budget Comparison

The following table compares the legislative budget for the 2007 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2004	Executive Budget Fiscal 2006	Legislative Budget Fiscal 2006	Leg – Exec. Difference Fiscal 2006	Executive Budget Fiscal 2007	Legislative Budget Fiscal 2007	Leg – Exec. Difference Fiscal 2007	Biennium Difference Fiscal 06-07
FTE	3.00	3.00	0.00	(3.00)	3.00	0.00	(3.00)	
Personal Services	145,942	149,753	0	(149,753)	149,680	0	(149,680)	(299,433)
Operating Expenses	40,673	50,849	3,819	(47,030)	47,334	0	(47,334)	(94,364)
Total Costs	\$186,615	\$200,602	\$3,819	(\$196,783)	\$197,014	\$0	(\$197,014)	(\$393,797)
General Fund	186,615	200,602	3,819	(196,783)	197,014	0	(197,014)	(393,797)
Total Funds	\$186,615	\$200,602	\$3,819	(\$196,783)	\$197,014	\$0	(\$197,014)	(\$393,797)

The legislative budget includes only \$3,819, which would be removed if SB 146 is passed and approved. The legislative budget is \$393,797 less in general fund than the executive budget for the biennium. The difference is due to the Appellate Defender being consolidated into a new Office of State Public Defender, contingent upon passage and approval of SB 146.

Agency Highlights

Appellate Defender Major Budget Highlights	
◆	The FTE and funding for the Appellate Defender is moved to a separate program in the Office of State Public Defender. Major funding adjustments prior to the transfer included:
	• Funding for continuing education costs to attend training in areas of appellate law applicable to state appeals cases and for long-distance telephone costs for calls to clients in state prisons added \$10,194
	• Other increases were for statewide present law adjustments, increased administrative costs paid to the Department of Administration, and one-time-only funding to replace computers

Agency Discussion

The legislature is currently deliberating SB 146 to establish a statewide public defender system. The legislature transferred funding from the Appellate Defender to the Appellate Defender Program of the Office of State Public Defender to address the fiscal impacts of SB 146. Funding for the Office of State Public Defender was made contingent upon passage and approval of SB 146. For a further discussion of the statewide public defender system, refer to the discussion in the Office of State Public Defender.

The legislative budget for the Appellate Defender reflects the movement of the Appellate Defender to the Office of State Public Defender with contingency language that would restore the Appellate Defender should SB 146 not become law.

Funding

Services provided by the Appellate Defender are funded entirely from the state general fund. Funding has been transferred to the Office of State Public Defender.

Present Law Adjustments

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget adopted by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments									
-----Fiscal 2006-----					-----Fiscal 2007-----				
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services				6,961					6,888
Inflation/Deflation				(96)					(92)
Fixed Costs				3,610					3,637
Total Statewide Present Law Adjustments				\$10,475					\$10,433
DP 101 - Fixed cost and computer replacement									
0.00	6,662	0	0	6,662	0.00	3,116	0	0	3,116
DP 103 - Communications and Training									
0.00	5,097	0	0	5,097	0.00	5,097	0	0	5,097
Total Other Present Law Adjustments									
0.00	\$11,759	\$0	\$0	\$11,759	0.00	\$8,213	\$0	\$0	\$8,213
Grand Total All Present Law Adjustments				\$22,234					\$18,646

DP 101 - Fixed cost and computer replacement - The legislature approved an increase of \$9,778 general fund for the biennium for increased office rent, personal computer replacements, and increases in indirect and administrative costs paid for administrative services provided by the Department of Administration. The legislature designated \$3,819 in FY 2006 for computer purchases as one-time-only.

DP 103 - Communications and Training - The legislature approved an increase of \$10,194 general fund for the biennium to restore funding for communications and training. Training increases include funding for travel to attend out-of-state continuing education training required to maintain qualification in areas of appellate law applicable to state appeals cases.

New Proposals

New Proposals										
-----Fiscal 2006-----						-----Fiscal 2007-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 105 - Public Defender System - SB 146										
01	(3.00)	(205,030)	0	0	(205,030)	(3.00)	(205,261)	0	0	(205,261)
Total	(3.00)	(\$205,030)	\$0	\$0	(\$205,030)	(3.00)	(\$205,261)	\$0	\$0	(\$205,261)

DP 105 - Public Defender System - SB 146 - The legislature approved moving the funding from the Appellate Defender to a new agency to provide a statewide public defender system. The statewide public defender system was the result of SB 146, which moved functions in the Judicial Branch and the Appellate Defender into the new agency, Office of State Public Defender.

Language

The legislature approved the following language for inclusion in HB2:

"If Senate Bill No. 146 is not passed and approved, Appellate Defender is increased by \$205,030 in general fund money in fiscal year 2006 and by \$205,261 in general fund money in fiscal year 2007."

"If Senate Bill No. 146 is passed and approved, Computer Purchases is reduced by \$3,819 in general fund money in fiscal year 2006."